IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 1421 (SS) of 2005

Smt. Tulsi Devi,
W/o late Sri Kishan Singh,
R/o Village Bafilla,
Post – Jabuka Thal,
District - Pithoragarh. **……Petitioner.**

Versus

1. Managing Director, U.P. State Road Transport Corporation, Parivahan Bhawan, Lucknow.
2. Managing Director, Uttaranchal Transport Corporation, 117, Indira Nagar, Dehradun.
3. Regional Manager, Uttaranchal Transport Corportion, Tanakpur Region, Tasnakpur, Distric Champawat.
4. Accountant General, U.P., Allahabad.

.....**Respondents**

Hon'ble M.M.Ghildiyal, J.

Heard Sri Manoj Tewari, learned counsel for the petitioner, Sri Ramji Srivastava learned counsel for the UPSRTC i.e. respondent no. 1 and Sri Ashish Joshi, learned counsel for the Uttarakhand Transport Corporation i.e. respondents no. 2 and 3.

By means of this writ petition, the petitioner has prayed for the following relief:-

1. *Issue a writ order or direction in the nature of Mandamus commanding the respondents to release the family pension of the husband of the petitioner and also to pay the gratuity commutation, arrear of revised pay scale and other retirel dues.*
2. *Issue a writ order or direction in the nature of mandamus direction the respondents to pay interest on the delayed payment of pension, gratuity, commutation, arrears of*

revised pay scale and other retirel dues of the petitioner's husband to the petitioner at a rate to be specified by this Hon'ble Court.

3. *issue any other writ, order or direction, which this Hon'ble Court may deem fit and proper in the circumstances of the case*

4. *award the costs of he writ petition in favour of the petitioner.*

The stand of the petitioner is that her husband, who was working as Zamadar with UPSRTC, was retired from the service 31.07.2002, however, she was not paid retirel dues of her late husband, consequently, she was constrained to file present writ petition.

Respondents have filed counter affidavit. Sri Ramji Srivastava, learned counsel for UPSRTC has submitted that in view of agreement 13.06.2005 entered between two corporations, UPSRTC is liable to pay pension to the petitioner and the UPSRTC has already deposited the amount of pension which is to be paid by the UPSRTC to the petitioner.

Sri Ashish Joshi, learned counsel for the respondents no. 2 and 3 has submitted that Uttarakhand Transport Corporation has already paid by the amount of retirel dues to the petitioner, which is to be paid by the Uttarakhand Transport Corporation.

In view of above statement, writ petitions become infructuous, as such, is dismissed as infrutuous.

(M.M. Ghildiyal, J)

April 12, 2007
Sksharma